



PATENT

2881 \$
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Asbury et al.)

Serial No: 09/847,645)

Filed: May 1, 2001)

For: DEVICE AND METHODS FOR)
DETECTING SAMPLES IN A)
FLOW CYTOMETER INDEPENDENT)
OF VARIATIONS IN FLUORESCENCE)
POLARIZATION)

Conf. No.: 6607

Group Art Unit: 2881

Examiner: D. Vanore

#7
10-1-02
C. Bean
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Albert J. Bann
Signature

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

Responsive to the Office Action mailed July 23, 2002,
entry of the following remarks is respectfully requested.

REMARKS

Claims 1-19 are pending in the above-identified
application and are subject to a restriction requirement under
35 U.S.C. § 121.

The Office Action mailed July 23, 2002, alleges that
the claims are directed to two independent inventions and
restriction to one of the inventions for prosecution is required.
The two independent inventions have been set forth in the Office
Action as shown below: